

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
*ex rel.* MARY HENDOW and  
JULIE ALBERTSON,

Plaintiffs,

No. CIV S-03-0457 GEB DAD

v.

UNIVERSITY OF PHOENIX,

Defendant.

ORDER

\_\_\_\_\_/

This case came before the court on April 9, 2009, for hearing on relators' motion to compel production of post - March 2005 documents (Doc. No. 213) and defendant's motion to compel further responses to interrogatories and requests for production of documents (Doc. No. 214). Michael Rubin and Peter E. Leckman appeared for the relators. Jared Toffer and James Zelenay appeared for defendant.

For the reasons stated in open court, relators' motion to compel production of post - March 2005 documents (Doc. No. 213) was denied save and except defendant was ordered to produce any documents from the period March 2005 through April 1, 2009, reflecting complaints or concerns expressed by enrollment counselors or their supervisors that the compensation plan then in effect was essentially based on whether enrollment quotas were met to

1 the extent such documents exist at, or were forwarded to, defendant's human resources division  
2 or any other management level office at corporate headquarters in Phoenix. The documents in  
3 question shall be produced to counsel for relators by May 8, 2009. Defendant's motion to  
4 compel further responses to interrogatories and requests for production of documents (Doc. No.  
5 214) was denied

6 IT IS ORDERED.

7 DATED: May 14, 2009.

8  
9   
10 DALE A. DROZD  
11 UNITED STATES MAGISTRATE JUDGE

12 Ddad1/orders.civil/hendow0457.oah.040909  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26